

FINAL MEETING MINUTES
February 28, 2017 Planning Board Meeting
7:00 P.M.
City Council Chambers, Woburn City Hall

✓ APPROVED

Chair Carolyn Turner called the meeting to order at 7:00 p.m. and asked City Planner/Grant Writer Dan Orr to call the roll.

ROLL CALL OF MEMBERS

Mr. Kevin Donovan, Mr. Bob Doherty, Mr. Jim Callahan, Mr. Michael Ventresca, Mr. Dave Edmonds and Chair Carolyn Turner were present; Ms. Claudia Bolgen was absent. Also present were Planning Director Tina Cassidy and City Planner/Grant Writer Dan Orr.

Chair Carolyn Turner asked if there were ANR plans for this meeting. Director Cassidy stated there were none.

1. GARFIELD AVENUE REZONING OF LOT 69-08-08 FROM THE R-2 to THE R-3 ZONING DISTRICT AND LOT 69-08-07 FROM THE IG to THE R-3 ZONING DISTRICT

Mr. Kevin Donovan recused himself from discussion of this matter.

Attorney Joseph Tarby approached the Board on behalf of the Petitioner to review the petition to rezone the two properties referenced above which are adjacent to each other. The neighboring land to the north of the site contains primarily residences, whereas land adjacent to the southerly side of the site contains primarily industrial uses. The topography of the site creates a challenge in terms of buildability.

Attorney Tarby further stated that the re-zoning would allow the development of 24 units of multi-family housing. The zoning map amendment would allow a development that creates a buffer between the existing residential homes and the new development and industrial land.

Attorney Tarby further stated that this project would further the City of Woburn's affordable housing production goals.

Attorney Tarby further stated that the proposal was presented at a neighborhood meeting and was also discussed at the January 24th Planning Board meeting.

Attorney Tarby provided an overview of the comments made at the Board's January 24th meeting.

Attorney Tarby further stated that a traffic study would be completed as part of the special permit process and sidewalks will be addressed as part of the onsite mitigation.

Attorney Tarby further stated that issues such as sewerage will be addressed through the rezoning process and reviewed how many duplexes could be constructed onsite, as well as the impact on public schools.

Attorney Tarby further stated that he has provided a response memo to address the concerns that this proposal constitutes spot-zoning. The project would create a buffer between the residential and the business uses. It will increase affordable housing as well.

Mr. Chris Mulhern, of Harrison Mulhern Architects, Winchester, approached the Board on behalf of the Petitioner and presented a map of the property. The lot is 2.92 acres with 70 feet of elevation changes.

Mr. Mulhern then presented **(a)** an overview of the boundaries of the property and the surrounding structures to provide the current context of the proposed development; **(b)** a conceptual rendering of the proposed structure that would be constructed on the re-zoned parcels, as well as a summary of the proposed development; **(c)** information on the specifications of the apartment units, which are broken into 18 two-bedroom units and 6 one-bedroom units; **(d)** a cross-section of the proposed structure and the site plan, including areas that would be disturbed on the land; and **(e)** an overview of the floorplan of the proposed apartment units.

Mr. Bob Doherty inquired about the amount of acreage of the two parcels in question. Attorney Tarby stated that the industrially-zoned land is approximately 79,000 sq. ft., and the residentially-zoned parcel is approximately 48,000 sq. ft.

Mr. Bob Doherty inquired about the height of the proposed structure. Mr. Mulhern stated that the height of the potential structure is approximately 30-32 ft.

Mr. Dave Edmonds inquired about the number of units that could be constructed if the proposal were to only include the industrially-zoned parcel. Mr. Mulhern responded that approximately 14 units could be constructed.

Mr. Dave Edmonds asked how large an industrial building could be built currently on the parcel. Attorney Tarby responded that he did not know.

Mr. Dave Edmonds inquired about the height of other buildings in the neighborhood. Mr. Mulhern stated that it is technically taller than other buildings in the neighborhood.

Mr. Michael Ventresca inquired about the current zoning of the site and the grading of the site. Mr. Mulhern clarified.

Mr. Jim Callahan inquired about the Garfield Avenue entrance and its distance from Belmont Street. Mr. Mulhern clarified.

Mr. Michael Ventresca asked what could be constructed if the rezoning was not approved. Attorney Tarby responded that if both the R-2 parcels were combined 8 duplexes could be constructed, but there would be significant blasting and earth work on the site to build them.

Planning Director Cassidy inquired about the status of hazardous materials testing. Attorney Tarby stated that hazardous materials testing has in fact been conducted on the soil.

Chair Carolyn Turner opened this matter for a public hearing and asked any members of the audience who would like to step forward to address the Board to please do so at this time.

PUBLIC HEARING

Mr. Andy Riley, 10 Carter Street, inquired about 2.5 stories in terms of height. Mr. Mulhern provided a clarification of the renderings and how the height would appear depending on the vantage point.

Mr. Riley inquired as to whether there is a record of the soil testing that was conducted onsite. Attorney Tarby verified that the testing was conducted and no hazardous materials were revealed.

Chair Carolyn Turner asked the audience to direct its testimony to the Board and said responses will be provided at the conclusion of the testimony session.

Mr. Riley stated that there should be a record of what was found on the site and said the massing of the proposed structure is clearly out of scale with what is existing in the neighborhood.

Mr. Riley further stated that more consideration should be given to small business on the site.

Alderman Richard Gately approached the Board to let them know that he has received correspondence about this project stating opposition from day 1.

Alderman Gately further stated there are drainage and grading concerns, as well as traffic concerns in terms of cut-through traffic. This will be bad for the neighborhood and is out of character.

Alderman Gately further stated that there needs to be a good sized pump station to be able to accommodate the sewerage, likely located at the corner of Belmont Street and Garfield Avenue. He does not believe that the Town of Winchester will be able to accommodate the sewerage generated by this project as the developer has proposed.

Ms. Maryanne Murphy, 38 Arlington Street, at the corner of Arlington and Stoneham Street, stated that she helps to maintain the land even though it is not theirs. She is even thinking about buying the property because she currently helps to maintain it.

Mr. Jeff Burns, 126 Garfield Avenue, approached the Board to ask about the people who move in and use the parking garage who may not necessarily have compact cars. That could have an impact on surrounding neighborhood parking conditions.

Mr. Jeff Burns further stated that this proposed building is out of character with the neighborhood.

Mr. Kevin O'Neill, 2 Medford Street, approached the Board to say he is opposed to the rezoning. Part of the reason that he moved to his current home because he appreciates that it is a dead-end street and wants to ensure that his current street does not become a through-street as a result of future development.

Ms. Lori Medeiros, 23 Arlington Street, approached the Board to say that she is opposed to the rezoning proposal. It should remain as is and allow industrial to be built by-right.

Ms. Medeiros further stated that it is not the Board's responsibility to maximize the profit of a developer.

Ms. Lee Kiklis-Capello stated that the owners knew what the property was zoned when they purchased it. It needs to be considered what R-3 is going to do to the neighborhood.

Ms. Theresa DaCosta stated that she has lived in the neighborhood for over 40 years. It is dangerous to have the amount of congestion that would be proposed; she would not mind changing the industrial to residential.

Ms. DaCosta further stated it is concerning that there is no sidewalk in the vicinity and no recreational areas for children.

Mr. Don Hickey, 3 Arlington Street, stated that potential speeding over the hill is an issue, and there is an issue with double-parking by the tennis courts.

Ms. Marianne Kiklis, 1 Cliffside Terrace, stated that she believes that this project will negatively change the character of the neighborhood.

Ms. Kiklis further stated that she has not received public hearing notices as an abutter to the proposed rezoning on Garfield Avenue. Director Cassidy explained that the City Council sends out notices of its rezoning public hearings.

Ms. Jean Monahan Doherty, Arlington and Medford Streets, asked the Board if it takes residents' opinions into account in making its decision on the rezoning proposal. Chair Carolyn Turner responded that the Board certainly takes resident testimony into consideration.

Ms. Murphy stated that because of the narrowness of Stoneham Street, it has occurred in the past that fire trucks cannot pass and residents have to move cars to accommodate them.

Ms. Judith Foley, 129 Garfield Avenue, stated that she has seen this neighborhood grow over the years; she believes that this project is totally out of proportion to the neighborhood.

Ms. Theresa Buckley, 20 Arlington Street, approached the Board to state that the traffic and speeding is horrendous; they decided to knock down their house and rebuild their home. Overall, it is a very tight-knit neighborhood.

Ms. Mary Burns, 126 Garfield Avenue, stated that this proposal is detrimental to the neighborhood, as well as the City of Woburn, and the only person that this proposal serves to benefit is the property owner and nobody else.

Ms. Maura Branley, 25 Arlington Street, stated that individuals who buy homes in their neighborhood tend to stay for a long time; the developer does not have vested interest in the neighborhood or the City.

Mr. Ken Murphy, 38 Arlington Street, stated that he disagreed with how the site plan was portrayed in terms of depicting abutting homes.

Ms. Peggy Orsillo, 128 & 130 Garfield Avenue stated that it is a nice community that they live in, along with much of her family. She does not want to look at the proposed building as she leaves her home, as it is too massive.

Ms. Diane Yebba, 3 Belmont Street, stated that she is against the rezoning proposal because it would have an impact on her family, including the possibility of moving.

Mr. Mike Litchfield, 14 Stoneham Street, asked if the City has any guidelines in terms of what is followed to allow for the up-zoning of a parcel. Chair Carolyn Turner stated that there are several aspects that are taken into consideration, including case law and impacts on the general public.

Alderman Gately stated that he would hope the Planning Board recommends against this proposal to the Council.

Ms. Kulkis-Capello inquired about the memorandum request to the City Solicitor relative to whether this parcel constitutes spot zoning. Chair Carolyn Turner summarized the Solicitor's opinion on this topic.

Ms. Kulkis-Capello stated that it important to look at the project in terms of apartments and not townhomes.

Mr. Riley inquired about the tax revenue if the parcel were to remain industrial. Chair Carolyn Turner stated that the Board is not in a position to answer this question.

Mr. Mulhern provided clarification regarding the parking requirements of this project and the amount of density for this project and stated that there is a potential to connect to the sewerage system in Winchester and has been under discussion for a number of months.

Mr. Mulhern further stated that the runoff generated by this proposal would be mitigated onsite in the stormwater drainage structures.

Mr. Mulhern further stated that a sidewalk on one side of the street would be part of an official development proposal.

Mr. Riley asked if there was a plan on how to accommodate truck traffic on the property. Chair Carolyn Turner responded that that is a matter that would speak to the actual development proposal for the site and not the rezoning matter which is actually before the Board.

Ms. Lori Medeiros stated that there is a proposed 40B project in Winchester adjacent to this site and asked the Board to keep that in mind in terms of traffic and other impacts.

Chair Turner asked if there were any other members of the public wishing to comment. There were none.

Motion to close the public hearing made by Mr. Dave Edmonds;
Seconded by Mr. Jim Callahan;
Motion carried, 5-0.

Motion to send an unfavorable recommendation to the City Council on this zoning proposal, made by Mr. Ventresca;
Seconded by Mr. Bob Doherty;
Motion carried, 5-0.

Motion for a 5-minute recess made by Mr. Dave Edmonds at 8:46 pm.
Seconded by Mr. Bob Doherty;
Motion carried, 5-0.

Chair Carolyn Turner reconvened the meeting at 8:51 pm. and Mr. Kevin Donovan rejoined the meeting

1. PUBLIC HEARING: APPEAL OF DENIAL OF SIGN PERMIT AT 6 COMMON STREET / W.T. PHELAN INSURANCE

Mr. Dave Edmonds recused himself from discussion of this matter.

Mr. David Ramsey approached the Board to explain his appealed sign application. He is primarily concerned with restoring and maintaining the buildings that he owns.

Mr. David Ramsey further stated that he believes the City will be very satisfied with the work that they undertake.

Planning Director Cassidy provided the background on this particular appeal in the context of the fact that internally-illuminated signage does not comply with zoning.

Planning Director Cassidy further stated that in granting this appeal, they would be the only internally illuminated signs on the square.

Mr. Bob Doherty inquired about what the sign would look like. Mr. Ramsey stated that they have made an effort to "tone down" the signage.

Mr. Bob Doherty stated that he liked the idea regarding soliciting the opinion of the Chief of Police in terms of the illumination that is proposed.

Planning Director Cassidy stated that it may be helpful for the Applicant to provide an example; additionally, it is important for the Board to consider the impact that this could have in the downtown area in terms of setting a precedent.

Mr. Bob Doherty inquired as to what the applicant would do if denied. Mr. Ramsey stated that he would "pivot" but he personally prefers the look as it exists.

Mr. Michael Ventresca stated that it would be helpful to have a sense of what the illumination of the sign would look like.

Mr. Jim Callahan stated that he is in favor of giving the applicant more time to hear from city officials and to potentially provide an example for the Board to see. He is personally in favor of a non-internally illuminated sign.

Chair Carolyn Turner opened this matter for a public hearing and asked any members of the audience who would like to step forward to address the Board to please do so at this time.

PUBLIC HEARING

No one stepped forward.

Motion to close the public hearing by Mr. Bob Doherty;

Motion withdrawn by Mr. Bob Doherty.

Motion to continue public hearing to the Board's March 14th meeting made by Mr. Jim Callahan;
Seconded by Mr. Bob Doherty;
Motion carried, 5-0.

Mr. Edmonds rejoined the meeting.

2. **PUBLIC HEARING: BILLBOARDS AS A CITY COUNCIL SPECIAL PERMIT USE IN IP-2/OP-93 ZONING DISTRICTS ON LOTS THAT ADJACENT I-93 / 600 METRONORTH**

Chair Carolyn Turner recused herself from discussion of this matter and Mr. Michael Ventresca took over the position of Chair pro tem.

Attorney Joe Tarby, Murtha Cullina, 600 Unicorn Park Drive, approached the Board on this matter to reiterate the rezoning proposal and the zoning language that would be added with the adoption of this proposal.

Attorney Tarby provided reiterated the technological aspects of the proposal billboard that would be erected under the new zoning.

Attorney Tarby further stated that it would seem that the parcels in question would be the best place for this proposal.

Attorney Tarby further stated that the Council's hearing on this matter is waiting on an opinion from the City Solicitor.

Chair pro tem Michael Ventresca opened the public hearing and asked any members of the audience who would like to step forward to address the Board to please do so at this time.

PUBLIC HEARING

Mr. Chris Owen, 3 Florence Terrace, stated that the City Council has already scheduled a hearing on this matter. The only reason it was tabled is because they cannot receive an answer from the City Solicitor.

Mr. Chris Owen further stated that this proposal benefits few and the City should take this into consideration.

Chair pro-tem Michael Ventresca asked if there was anyone else who wished to address the Board on this matter. There were none.

Motion to close the public hearing made by Mr. Dave Edmonds;
Seconded by Mr. Bob Doherty;
Motion carried, 5-0.

Motion to send an unfavorable recommendation to the City Council on this proposal made by Mr. Jim Callahan;
Seconded by Mr. Dave Edmonds;
Motion carried, 5-0.

Chair Carolyn Turner returned to the meeting and re-assumed the role of Chair.

3. DREW PLACE DEFINITIVE SUBDIVISION

Planning Director Cassidy provided an overview of the request and a status update to the Board.

Planning Director Cassidy further stated that there are two options for the Board to consider in light of the latest information, including either continuing discussion or voting tonight on this matter subject to verified completion of the stone bound issue by the Engineering Department.

Motion to continue the discussion until March 14th by Mr. Bob Doherty, stating that he is in favor of continuing this matter until the outstanding item is deemed complete by the Engineering Department;

Seconded by Mr. Michael Ventresca;

Motion carried, 6-0-0.

4. CARL FORESTER WAY DEFINITIVE SUBDIVISION

Chair Carolyn Turner recused herself from discussion of this matter and Mr. Michael Ventresca served as Chair pro tem for the remainder of the meeting.

Planning Director Cassidy provided an overview of the current status of this matter.

Planning Director Cassidy further stated that currently the City Solicitor must work with the City Council for a formal vote to accept the utility easements by the City.

Motion to extend the completion date of the subdivision to March 31, 2017 by Mr. Bob Doherty;

Seconded by Mr. Jim Callahan;

Motion carried, 5-0.

Planning Director Cassidy stated that she will work with the City Solicitor to ensure scheduling for a future Board meeting.

5. PLANNING DIRECTOR UPDATE

Upcoming Business

Planning Director Cassidy updated the Board regarding upcoming matters and public hearings.

Mr. Dave Edmonds stated that Game Stop has to contend with licensing for being defined as a "pawnshop."

ZORC

Planning Director Cassidy stated that the Board has not been called to the City Council for discussion on this matter yet. She conferred with Alderman Anderson and he has promised follow-up with a further update once a meeting has been scheduled.

6. APPROVAL OF MINUTES: February 14, 2017 meeting

Mr. Dave Edmonds stated that the record of the vote on the matter of the zoning code change (marijuana establishments) should be reflected as 6-1-0, with Mr. Dave Edmonds voting against it.

Motion to approve February 14, 2017 meeting minutes, as amended, made by Mr. Dave Edmonds;
Seconded by Mr. Bob Doherty;

Motion carried, 5-0.

Chair Mike Ventresca asked if there was any other business for the Board to conduct this evening.
There was none.

7. ADJOURNMENT

Seeing no further business, Mr. Bob Doherty motioned to adjourn at 9:30 p.m.;
Mr. Dave Edmonds seconded;
Motion carried, 5-0.

The meeting adjourned at 9:30 p.m.

Table of Documents Used at Meeting

<ul style="list-style-type: none">• Staff Report
<ul style="list-style-type: none">• Petition to rezone two parcels on Garfield Avenue from I-G/R-2 to R-3
<ul style="list-style-type: none">• PowerPoint presentation of a proposed residential structure on re-zoned Garfield Avenue lots from Mr. Chris Mulhern of Harrison Mulhern Architects
<ul style="list-style-type: none">• Petition to Allow Billboards as a Special Permit Use (City Council) in the OP-93 and IP-2 Zoning Districts
<ul style="list-style-type: none">• Draft Planning Board Meeting Minutes (dated February 14, 2017)

Respectfully submitted,



Dan Orr
City Planner/Grant Writer